

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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RICHARD L. STONE and KIRBY  
McINERNEY LLP,

Plaintiffs

Docket No: 08-CV-5171

- against -

**REQUEST FOR EXTENSION OF TIME  
TO ANSWER OR OTHERWISE  
PLEAD**

EDWARD T. JOYCE; EDWARD T. JOYCE &  
ASSOCIATES, P.C.; PAUL M. WEISS; FREED &  
WEISS, LLC; JOHN RANDY PATCHETT and  
PATCHETT LAW OFFICE

Defendants

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Defendants Edward T. Joyce and Edward T. Joyce & Associates, P.C. (collectively  
“Joyce”), by their counsel, hereby move this Court for an extension of time to answer or  
otherwise plead. In support of this Request, Joyce states as follows:

1. Joyce personally accepted service of the above-captioned complaint on or about  
June 18, 2008.
2. Joyce recently retained Roger Crane of Nixon Peabody LLP to represent them in  
this matter.
3. Joyce brings this Request seeking additional time to answer or otherwise plead in  
response to Plaintiffs’ complaint.
4. This is Joyce’s first request for an extension of time.
5. Joyce, through their attorneys, tried contacting Plaintiffs to seek their consent to  
this request for extension. Plaintiffs never responded to Joyce’s request.
6. Joyce’s request does not interfere with any other scheduled dates, and Plaintiffs  
are not prejudiced by this request.

WHEREFORE, Joyce respectfully requests an extension of time, up to and including July 21, 2008, to answer or otherwise plead.

Dated: June 27, 2008

City, State: New York, New York

Respectfully submitted,

/s/ Roger Crane  
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Roger Crane, RC 0469  
Firm Name: Nixon Peabody  
Address: 437 Madison Avenue  
City/State/Zip: New York, NY 10022  
Phone Number: 212-940-3000  
Fax Number: 212-940-3111

**CERTIFICATE OF SERVICE**

This is to certify that on June 27, 2008, I caused a copy of the foregoing Request for Extension of Time to Answer or Otherwise Plead to be served by the Court's electronic filing system on counsel for plaintiffs Richard L. Stone and Kirby McInerney LLP,

Peter S. Linden, Esq.  
Kirby McInerney LLP  
830 Third Avenue, 10<sup>th</sup> Floor  
New York, New York 10022

/s/ Roger R. Crane  
Roger R. Crane

Dated: June 27, 2008